IN THE HIGH COURT OF JUDIATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.4311 OF 2004

Dattatraya Baliram Jadhav & Ors. .. Petitioners.
Vs.
Jagannath Dhondi Chavan (deceased) through LRs Aakatai Jagannath Chavan & Ors. .. Respondents.

Mr.Dilip Bodke for the petitioners.

CORAM : D.B.BHOSALE, J.

DATED : 23RD FEBRUARY, 2005

P.C.:

. Heard Mr.Bodke, learned counsel for the petitioners.

2. This petition is directed against the concurrent findings recorded by the courts below in the proceedings arising out of 'Exhibit-5' application which was filed for temporary injunction. The miscellaneous appeal came to be rejected on 5th May, 2003. Admittedly, there was no interim or ad-interim order running in favour of the petitioners since 15.2.2003. The suit is filed by the petitioner-plaintiff for injunction simplicitor. Keeping that in view and considering that there are concurrent findings and

there is sufficient material on record to sustain those findings and considering extremely limited jurisdiction of this court under Article 227 to disturb the findings of fact I am not inclined to entertain this petition. The writ petition, therefore, fails and is dismissed as such. The trial Court shall dispose of the suit as expeditiously as possible and preferrably within a period of one year from the date of receipt of this order. The trial Court shall decide the suit on merits in accordance with law and uninfluenced by the observations made at interlocutory stage.

. The writ petition is, accordingly, disposed of.

(D.B.Bhosale, J.)